

10/010,277

REMARKS

Accompanying this response is an Information Disclosure Statement which make of record art was recently uncovered in the corresponding European Patent Application. Please charge any necessary official fees required for consideration of the art listed on form PTO-1449 to the Deposit Account of the undersigned.

Claims 22-33 are rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for the reasons noted in the official action. Claims 21-23 are canceled, from this application, and the remaining rejected claims are accordingly amended, by the above claim amendments, and all of the presently pending claims are now believed to particularly point out and distinctly claim the subject matter regarded as the invention, thereby overcoming all of the raised § 112, second paragraph, rejections. The entered claim amendments are directed solely at overcoming the raised indefiniteness rejection(s) and are not directed at distinguishing the present invention from the art of record in this case.

The Applicant thanks the Examiner for indicating that claims 22, 23, 24, 25, 27-30, 32 and 34 are objected to as being dependent upon a rejected base claim but would be allowable if rewritten in independent form to include all of the limitations of the base claim and any intervening claim(s). In accordance with this indication, the subject matter of claim 30 is amended to be an independent claim and this amended independent claim is now believed to be allowable.

With respect to claim 24, that claim is suitably amended and is now believed to be placed in a condition for allowance. Claim 25, which depends from claim 24, is also now believed to be allowable.

Claims 21, 26, 31, 33 and 35 are rejected, under 35 U.S.C. § 102(b), as being anticipated by Burleigh et al. '588. The Applicant acknowledges and respectfully traverses the raised anticipatory rejection in view of the following remarks.

The Applicant amended the claims so that they are particularly directed toward the subject matter of Figs. 10-20 of the present application.

With respect to claims 26 and 33, the Applicant amended those claims to include the limitation of "when in use" and such limitation is believed to distinguish clearly the present invention from the applied Burleigh et al. '588 reference. The Applicant notes that a similar limitation was entered into the parent application (namely, Serial No. 09/678,004 filed October 3, 2000) and entry of such limitation eventually led to allowance of that application.

In addition, claim 26 is now amended to cover a "rearward facing" seat as already recited in claim 33. Lastly, both claims 26 and 33 recite the limitation of a rigid link projecting from an end of a child seat structure opposite to the backrest portion (see claim 26, lines 6 and 7 and claim 33, lines 5 and 6). The applied citation of Burleigh et al. '588 is not believed to, in any way, teach, suggest or disclose such limitation. As such, the raised rejection in view of that citation should be withdrawn in view of the foregoing amendments to claims 26 and 33. As claims 27-29 and 32, 34 and 35 all depend, from either claim 26 or 33, those dependent claims are also now believed to be allowable.

Upon receipt of this response, the Examiner is respectfully requested to contact the undersigned representative of the Applicant to arrange a telephone interview concerning the inventive merits of this application. In particular, to discuss claims 26 and 33 in view of the applied art of Burleigh et al. '588.

If any further amendment to this application is believed necessary to advance prosecution and place this case in allowable form, the Examiner is courteously solicited to contact the undersigned representative of the Applicant to discuss the same.

In view of the above amendments and remarks, it is respectfully submitted that all of the raised rejection(s) should be withdrawn at this time. If the Examiner disagrees with the Applicant's view concerning the withdrawal of the outstanding rejection(s) or applicability of the Burleigh et al. '588 reference, the Applicant respectfully requests the Examiner to indicate the specific passage or passages, or the drawing or drawings, which contain the necessary teaching, suggestion and/or disclosure required by case law. As such teaching, suggestion and/or disclosure is not present in the applied references, the raised rejection should be

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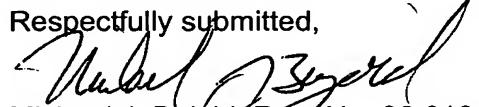
withdrawn at this time. Alternatively, if the Examiner is relying on his/her expertise in this field, the Applicant respectfully requests the Examiner to enter an affidavit substantiating the Examiner's position so that suitable contradictory evidence can be entered in this case by the Applicant.

In view of the foregoing, it is respectfully submitted that the raised rejection(s) should be withdrawn and this application is now placed in a condition for allowance. Action to that end, in the form of an early Notice of Allowance, is courteously solicited by the Applicant at this time.

The Applicant respectfully requests that any outstanding objection(s) or requirement(s), as to the form of this application, be held in abeyance until allowable subject matter is indicated for this case.

In the event that there are any fee deficiencies or additional fees are payable, please charge the same or credit any overpayment to our Deposit Account (Account No. 04-0213).

Respectfully submitted,


Michael J. Bujold, Reg. No. 32,018

Customer No. 020210

Davis & Bujold, P.L.L.C.

Fourth Floor

500 North Commercial Street

Manchester NH 03101-1151

Telephone 603-624-9220

Facsimile 603-624-9229

E-mail: patent@davisandbujold.com

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service, with sufficient postage, as First Class Mail in an envelope addressed to: Director of the United States Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450.
March 5, 2004.

By: 

Print Name: Michael J. Bujold